

REMARKS

By this Amendment claim 1 has been amended to state that the overload clutch is directly connected to the first stage in the reduction gear and thus better reflect the arguments submitted in the Amendment of September 23, 2008, and claim 9 has been corrected. It is believed that these amendments suffice to place this application in an immediately allowable condition.

The examiner is requested to acknowledge receipt of the Supplemental Amendment and Letter Re Drawings filed October 7, 2008.

In the outstanding final Office Action the examiner has rejected claims 1 and 7 under 35 U.S.C. 103(a) as being unpatentable over Whittingham in view of McKibbin (newly cited), he has rejected claims 2-4 and 8 under 35 U.S.C. 103(a) as being unpatentable over Whittingham in view of McKibbin and Alfano, he has rejected claim 5 under 35 U.S.C. 103(a) as being unpatentable over Whittingham in view of McKibbin, Alfano et al. and Akkerman, he has rejected claim 9 under 35 U.S.C. 103(a) as being unpatentable over Whittingham in view of McKibbin and Abraham, and he has rejected claim 10 under 35 U.S.C. 103(a) as being unpatentable over Whittingham in view of McKibbin, Alfano et al. and Akkerman.

These rejections cannot apply to amended claim 1.

Whittingham discloses a vehicle jack which includes a spindle 88 driven by a motor 60 via first gear and pinion 64, 66 and a clutch that includes a drive gear 76, a clutch plate 82 and springs 86.

McKibbin disclose a lubricating system for a planetary gear train.

The examiner asserts that it would be obvious to employ the planetary gear of McKibbin in the actuator of Whittingham "for the predictable and well-known purpose of providing a reduction drive between the motor shaft and a driven wheel...and to add more possible gear ratios..."

However, it is asserted that even if the planetary gear of McKibbin were used in Whittingham, the motor shaft 62 would not have an extended end connected to a sun wheel of the planetary gear train.

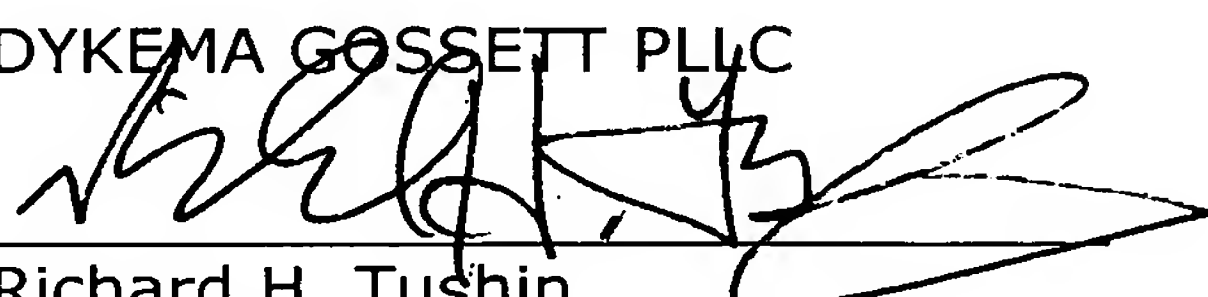
And nothing in Alfano, Akkerman or Abraham would overcome this deficiency.

An allowance of this application is requested.

Respectfully submitted,

DYKEMA GOSSETT PLLC

By:

  
Richard H. Tushin  
Registration No. 27,297  
Franklin Square, Third Floor West  
1300 I Street, N.W.  
Washington, DC 20005-3353  
(202) 906-8680